

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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THOMAS TABORELLI, *et al.*,

Plaintiff,

Case No. 1:09-CV-408

v.

Hon. Gordon J. Quist

MICHIGAN DEPARTMENT  
OF CORRECTIONS, *et al.*,

Defendants.

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**ORDER ADOPTING**  
**REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on Plaintiffs on August 10, 2012. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed August 9, 2012, is approved and adopted as the opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's claims against Defendants Nelson and Dyker are **DISMISSED** for failure to timely effect service.

This case is **concluded**.

Dated: August 30, 2012

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE